

Remarks

Reconsideration of amended claims 1-5 and 9-11 is respectfully requested.

Applicant believes that the claims, as now presented, are allowable over all references of record in the parent application. In particular, the Pester III reference previously cited by the Examiner does not disclose or suggest an arrangement where an "estimated" frame signal is derived by counting the number that arrive subsequent to a detected frame signal, and then comparing the "detected" and "estimated" frame signals to define a frame error, with synchronization of the frames used to avoid the prior art problem of "over-reporting" of errors, as discussed in the specification at page 2, beginning at line 16. Indeed, Pester, III focuses on a conventional voice network (such as the public switched telephone network, PSTN) and the utilization of SS7 signaling in such a network environment. The present invention is directed particularly to a data network such as an ATM network.

Applicant respectfully requests the Examiner to review the amended claims and allow this continuation application to pass to issue. If for some reason or other the Examiner does not agree that the case is ready to issue and that an interview or telephone conversation would further the prosecution, the Examiner is invited to contact applicant's attorney at the telephone number listed below.

Respectfully submitted,

Mark Vedder

By: Wendy W. Koba
Wendy W. Koba
Reg. No. 30509
Attorney for applicant
610-346-7112

Date: 9/25/03